



AGENDA REPORT

TO: Jestin D. Johnson
City Administrator

FROM: Josh Rowan,
Director, Oakland
Department of
Transportation

SUBJECT: Citywide Sidewalk Shaving
Construction Contract Award

DATE: September 2, 2024

City Administrator Approval


Jestin Johnson (Oct 8, 2024 20:18 PDT)

Date: **Oct 8, 2024**

RECOMMENDATION

Staff Recommends That The City Council Adopt A Resolution Awarding A Construction Contract To Precision Emprise, LLC, DBA Precision Concrete Cutting For The Citywide Sidewalk Shaving Project (Project No. 1006640 REBID), The Lowest, Responsible, And Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Nine Hundred Thirty-Seven Thousand, Five Hundred Dollars (\$937,500.00); And Adopting Appropriate California Environmental Quality Act Findings.

EXECUTIVE SUMMARY

Approval of this proposed resolution will authorize the City Administrator to execute a construction contract in the amount of \$937,500.00 with Precision Emprise, LLC, dba Precision Concrete Cutting (PCC), the lowest, responsible, responsive bidder, for the Citywide Sidewalk Shaving Project (Project No. 1006640 REBID), to perform sidewalk surveying and horizontal concrete shaving to eliminating trip hazards.

BACKGROUND / LEGISLATIVE HISTORY

Across Oakland, uplifted sidewalks delay universal accessibility and create trip hazards that can result in trip and fall injuries, which can result in claims against the City and private property owners alike. Short-term fixes are ineffective: asphalt patching doesn't last and chips over time. Grinding damages concrete sidewalks and does not provide a smooth, ADA-compliant walkable path. Traditional fixes, such as concrete removal and replacement, are resource-intensive and expensive. Horizontal concrete shaving is a technique that provides an effective, inexpensive, environmentally-friendly alternative to grinding and remove/replace efforts and smooths uplifts without damaging the rest of the sidewalk. Staff estimates that 60% of sidewalk damage locations citywide are candidates for horizontal shaving alone (versus full removal and replacement).

Ensuring sidewalks are free from defects, hazards, and uplifts is a key action toward compliance with the Americans with Disabilities Act (ADA). Locally, sidewalk repair priorities are established by the City's adopted Sidewalk Prioritization Program (Resolution No. [81751 C.M.S](#)) and *Oakland Walks!*, the citywide pedestrian plan (Resolution No. [86809 C.M.S.](#)), both of which prioritize accessible sidewalks near transit, schools, medical centers, and city buildings.

ANALYSIS AND POLICY ALTERNATIVES

The Project was originally advertised through a Notice to Bidders (NTB) on April 02, 2024. On May 9, 2024, the Office of the City Clerk received two bids for the Project. However, after bids were opened, staff identified an error in the NTB. The bid results were cancelled, and a new NTB (NTB Project No. 1006640 REBID), was created and advertised on June 14, 2024. The Engineer's Estimate for the rebid package is \$939,000.00.

On July 11, 2024, the Office of the City Clerk received bids for the construction contract of Project No.1006640 REBID from three firms: Tripstop, Precision Concrete Cutting, and Cooper Construction & Engineering. The bids are shown in **Table 1** below.

Table 1: Project Bids Received

BIDDER	BASE BID
Precision Concrete Cutting	\$937,500.00
Trip Stop	\$1,512,000.00
Cooper Construction & Engineering	\$5,235,143.00

Precision Concrete Cutting's bid of \$937,500.00 is point sixteen percent (0.16%) below the Engineer's Estimate of \$939,000.00 and is deemed the lowest responsive and responsible bidder, and therefore recommended for the award.

Under the proposed contract with Precision Concrete Cutting, the Local Business Enterprise/Small Local Business Enterprise (L/SLBE) participation will be 100%, which exceeds the City's 50% L/SLBE requirement. The L/SLBE information has been verified by the Department of Workplace and Employment Standards (DWES) Contract Compliance Unit and is shown in **Attachment A: Compliance Analysis Memorandum**.

Locations for repair will be citywide and responsive to requests from persons with disabilities and in accordance with the Sidewalk Prioritization Plan. Anticipated completion of the project is Summer 2026.

Adoption of the proposed resolution will allow the City, through the Oakland Department of Transportation (OakDOT), to move forward with implementing the Citywide Sidewalk Shaving Project and advancing four Citywide policy directives: **(1) housing, economic, and cultural security; (2) vibrant, sustainable infrastructure; (3) holistic community safety; and (4) responsive, trustworthy government** as follows:

- 1. Housing, Economic, and Cultural Security:** The project will improve sidewalks adjacent to City facilities and other places of public access, improving accessibility to parks, libraries, recreation centers, transit stations, and high frequency bus stops.

2. **Vibrant and Sustainable Infrastructure:** Sidewalk shaving is an effective, inexpensive, environmentally-friendly alternative to grinding and remove/replace sidewalk techniques.
3. **Holistic Community Safety:** The project remediates uplifted sidewalks, which can pose a hazard and potentially cause injuries.
4. **Responsive, Trustworthy Government:** Sidewalk shaving addresses trip hazards and can reduce trip and fall injuries, which can reduce claims against the City and private property owners alike. This project also implements Council-adopted directives in the Sidewalk Prioritization Plan, ADA Curb Ramp Transition Plan, and ADA Buildings & Facilities Transition Plan.

FISCAL IMPACT

The Citywide sidewalk shaving project has a base bid cost of \$937,500, which is 0.16% lower than the engineer's estimate of \$939,000. Funds are available for horizontal concrete shaving through the use of Alameda County sales tax Measure BB proceeds, in Fund 2218 Measure BB, Organization 92242 Engineer Design Streets and Structures, Account 57411 Street Construction, and Project 1006640.

PUBLIC OUTREACH / INTEREST

Staff provided notice to labor representatives, per the terms and conditions of the current Memorandums of Understanding with the International Federation of Professional & Technical Engineers (IFPTE) Local 21, Service Employees International Union (SEIU) Local 1021 and International Brotherhood of Electrical Workers (IBEW) Local 1245 prior to the formal issuance of the Request for Bid (RFB).

For this solicitation, OakDOT-Great Streets Delivery Division (OakDOT-GSD) worked with Oakland Public Works, Capital Contracts Division (OPW-CCD), and the Department of Workplace and Employment Standards (DWES) to perform public outreach through legal ads, enhanced notifications, and pre-bid meetings.

Notifications of solicitation were distributed by several means. The first was the City's iSupplier system, which notified Oakland-certified businesses and regional trade and business groups, including the Oakland Metropolitan Chamber of Commerce, Oakland Black Board of Trade & Commerce, Bay Area Business Roundtable, and Construction Bidboard. Within a few days of registering with iSupplier, companies can access and review proposal requests in iSupplier, by searching for specific projects based on the North American Industry Classification System (NAICS) code.

In addition to iSupplier, OPW-CCD utilized CIPList.com, a free web-enabled site, to announce and distribute solicitations. It is used to push out notifications to plan rooms and builders' exchanges such as ARC North America, Builders Exchange of Alameda County, Contra Costa Builders Exchange, Dodge Data & Analytics, East Bay Blueprint, East Bay Blueprint, iSqFT, Northern California Electrical Construction Industry, Peninsula Builders Exchange, San

Francisco Builders Exchange, and Solano-Napa Builders Exchange. Through CIPList.com, any company or entity may register to be automatically notified of all City of Oakland solicitations without restrictions.

The legal notice for the project rebid was advertised on June 14, 2024, in the East Bay Times and the Oakland Post. In addition, information about the project was published in El Mundo, Daily Pacific Builder, Oakland Post, World Journal, the Korea Times, and the Oakland Tribune/East Bay Times to supplement and target L/SLBE companies in Black, Indigenous, People of Color (BIPOC) communities with potential contractors.

Finally, OPW-CCD held a pre-bid meeting in partnership with DWES and the Project Manager for the project rebid on June 25, 2024. The meeting's purpose was to inform attendees about the Project, discuss compliance requirements, and provide an opportunity for contractors and sub-contractors to network and partner on the proposed work.

COORDINATION

The work to be contracted has been coordinated with DWES and appropriate divisions within OakDOT. In addition, this report and the proposed resolution have been reviewed for form and legality by the Office of the City Attorney and Budget Bureau of the Finance Department.

PAST PERFORMANCE, EVALUATION AND FOLLOW-UP

Past projects completed by Precision Concrete Cutting for the City were deemed satisfactory by staff per the Contractor Performance Evaluations (**Attachment B**).

SUSTAINABLE OPPORTUNITIES

Economic: In addition to achieving 100% of the project's L/SLBE requirement, Precision Concrete Cutting is required to have 50 percent of the work hours performed by Oakland residents, and 50 percent of all new hires are to be Oakland residents, which will result in funds being spent locally. Improved walking conditions promote more walking activities, increased community cohesion, increased neighborhood security, and improved public transit access, which contribute to higher property values.

Environmental: Improving the pedestrian environment may encourage a mode shift away from single occupancy vehicles and towards walking and transit. Additionally, horizontal concrete shaving addresses hazards within otherwise adequate concrete sidewalks, prolonging the life of existing materials.

Race & Equity: By prioritizing sidewalk repairs using the City's race and equity map tool, this Project will follow the racial equity framework for priority locations. Additionally, improvements to sidewalks will provide greater safety, accessibility, and mobility to all Oaklanders but are especially important for people with disabilities, seniors, and people traveling with children.

CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA)


The proposed Project is exempt from the California Environmental Quality Act (CEQA) pursuant to Public Resources Code Section 1080.25(b)(1) (pedestrian and bicycle facilities, including new facilities). The Project is also exempt from CEQA pursuant to CEQA Guidelines Sections 15301(c) (Existing Facilities, Highways, and Streets), 15302 (Replacement or Reconstruction), 15304(h) (minor alterations to land), and/or 15061(b)(3) (No Significant Effect on the Environment). Each of the above exemptions provides a separate and independent basis for CEQA compliance.

ACTION REQUESTED OF THE CITY COUNCIL

Staff Recommends That The City Council Adopt A Resolution Awarding A Construction Contract to Precision Emprise, LLC, dba Precision Concrete Cutting For The Citywide Sidewalk Shaving Project, Project No. 1006640, The Lowest, Responsible, And Responsive Bidder In Accordance With Project Plans, Specifications, State Requirements, And With Contractor's Bid In The Amount Of Nine Hundred Thirty-Seven Thousand, Five Hundred Dollars (\$937,500.00), And Adopting Appropriate California Environmental Quality Act Findings.

For questions regarding this report, please contact Sarah Fine, Program Manager, Complete Streets Paving & Sidewalks, at sfine@oaklandca.gov.

Respectfully submitted,


Josh Rowan (Oct 7, 2024 08:33 PDT)

JOSH ROWAN
Director, Oakland Department of Transportation

Reviewed by:
Megan Wier, Assistant Director
Oakland Department of Transportation

Amit Salwan P.E., Division Manager
Oakland Department of Transportation

Sarah Fine
Program Manager
Oakland Department of Transportation

Prepared by:
Ivy To, P.E.
Transportation Engineer
Oakland Department of Transportation

Attachments: (2)

Attachment A: Compliance Analysis Memorandum
Attachment B: Contractor Performance Evaluation